

REMARKS

Claims 2-21 remain in this application. Claim 1 has been canceled. Claims 2, 5-7, 9-19 have been amended.

Claims 2 and 8 have been amended to become independent each having all of the limitations of the base claim 1.

Claims 8 and 13 have been amended to overcome the examiners objection.

Claims 5-7, 9-12 and 14-19 have been amended to depend upon claim 2 which was allowed by the examiner.

Reconsideration of this application is requested.

Claim Objections

Claim 8 was objected to by the examiner because a wheatstone bridge is a resistance bridge and a rectifier circuit and/or rectifying means requires the use of diodes. As amended claim 8 has had the word "*ac/dc bridge rectifier*" changed to "*ac/dc rectifier*" with the "*wheatstone bridge*" included instead of comprised.

Claim 13 was objected to by the examiner because the word "*transparent*" was incorrect therefore by amendment "*translucent*" has replaced the incorrect word.

Claim Rejections U.S.C. 102

Claims 1, 6, 7 and 11 were rejected under 35 U.S.C.102(b) as being anticipated by Lahos in U.S. Patent No. 5,584,561. As amended claim 1 has been canceled no longer claiming matter which formed the basis for the examiners rejection. Claims 6, 7 and 11 now depend upon claim 2 which has been allowed by the examiner.

Claim Rejections U.S.C. 103

Claims 5, 20 and 21 were rejected under 35 U.S.C.103(a) as being unpatentable over Lahos in U.S. Patent No. 5,584,561 in view of Hegyi in U.S. Patent No. 4,648,610 or Pearsall et al. in U.S. Patent No. 4,775,919. This rejection is respectfully traversed.

As amended, claim 5 now depends upon independent claim 2 which has been allowed by the examiner.

Relative to claim 20 applicant claims; *“a permanent magnet generator that is located within a vehicle wheel for producing electric power, and has a stationary side and a rotating side with a counter weight affixed to the generator's stationary side, thereby obtaining a differential rotation of the permanent magnet generator when a vehicle is turning the rotating portion of the generator,”*

Lahos in U.S. Patent No. 5,584,561 discloses a lighting device for a vehicle that utilizes two separate and distinct elements to achieve the electrical energy to illuminate the vehicle with LED's not only when it is operating but when it has stopped. It is clear that Lahos does not locate his invention *“within a vehicle wheel”* as his teachings indicate two separate pieces of equipment the first a magnet mounted on two spokes of a bicycle wheel and a solenoid mounted on the frame of the bicycle.

Clearly Lahos not only lacks the unitized structure of the instant invention but also has no teachings of *“a counter weight affixed to the generator's stationary side”* since his two piece device has the solenoid securely fixed to the mechanical frame of the

vehicle. The examiner indicated that it would have been obvious for Lahos to look toward Hegyi or Pearsall et al. for the feature of a counter weight. Hegyi is no help in this matter at all however Pearsall et al. include the possibility of adding a counterweight on their inner housing as indicated in the abstract "*This resistance (inertia) to rotation can be enhanced by adding a counterweight to the inner housing so the inner housing is mounted pendulously.*" There is no way that Lahos could find any utility using a counterweight as there can be no prima facie obviousness merely because the prior art can be modified to the claimed form without a suggestion of its desirability. Since Lahos could not possibly modify his invention to find any use by incorporating a counterweight it is submitted that the instant invention clearly defines over Lahos in view of Hegyi or Pearsall et al.

Claim 20 further claims "*a rectifier in electrical communication with the generator output, thus altering the power produced by the generator to direct current,*" Lahos does indeed teach a diode bridge for rectifying the alternating current however his electronic circuitry does not stop there as he incorporates a zener diode and an energy accumulator to allow the storage of any excess current produced during wheel rotation. Structure and function differences between claim 20 and the prior art cited produce sufficient weight to overcome the rejection.

In relation to claim 21, for the same reasons discussed above for claim 20 this claim is no longer obvious over Lahos in U.S. Patent No. 5,584,561 in view of Hegyi in U.S. Patent No. 4,648,610 or Pearsall et al. in U.S. Patent No. 4,775,919. Claim 21 does not however limit the location of the light emitting diodes to the wheel for producing a unique visual effect where Lahos, Hegyi and Pearsall et al. all limit their inventions to the wheel of the vehicle.

Accordingly the subject matter of claims 20 and 21 are not rendered obvious by the prior art cited and the rejection should be withdrawn.

Claims 9 and 10 were rejected under 35 U.S.C.103(a) as being unpatentable over Lahos in U.S. Patent No. 5,584,561 in view of Copeland in U.S. Patent No. 5,015,918.

As amended, claims 9 and 10 are now dependent upon independent claim 2 which has been allowed by the examiner.

Claim 12 was rejected under 35 U.S.C.103(a) as being unpatentable over Lahos in U.S. Patent No. 5,584,561.

As amended, claim 12 is now dependent upon independent claim 2 which has been allowed by the examiner.

Claim 15 was rejected under 35 U.S.C.103(a) as being unpatentable over Lahos in U.S. Patent No. 5,584,561 in view of King in U.S. Patent No. 6,116,763.

As amended, claim 12 is now dependent upon independent claim 2 which has been allowed by the examiner.

Claim 16 was rejected under 35 U.S.C.103(a) as being unpatentable over Lahos in U.S. Patent No. 5,584,561 in view of Cheung in U.S. Patent No. 6,565,243.

As amended, claim 16 is now dependent upon independent claim 2 which has been allowed by the examiner.

Claim 19 was rejected under 35 U.S.C.103(a) as being unpatentable over Lahos in U.S. Patent No. 5,584,561 in view of DiMaggio in U.S. Patent No. 5,016,144.

As amended, claim 19 is now dependent upon independent claim 2 which has been allowed by the examiner.

Allowable Subject Matter

Claims 2-4, 13, 14, 17 and 9 were objected to as being dependent upon a rejected base claim, but would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As amended claim 2 is now independent having all of the limitations of its base claim 1. Claims 5-7, 9-12 and 14-19

depend upon claim 2 therefore all of the above designated claims are now in condition of allowance.

Accordingly, the rejections under 35 U.S.C. 102 and 103 are deemed overcome by applicant's amendment and remarks.

Withdrawal of the rejection is respectfully requested and allowance of the instant application is solicited.

Enclosed herewith is a check in the amount of \$100.00 for one additional independent claim in excess of three.

Respectfully Submitted,



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